

CONFIDENTIAL - PROTECTED HEALTH INFORMATION

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

UNITED STATES OF AMERICA, ex rel.)
DILBAGH SINGH, M.D., PAUL KIRSCH,)
M.D., V. RAO NADELLA, M.D., and)
MARTIN JACOBS, M.D.,)

Plaintiffs,)

vs.)

Civil Action
No. 04-186E

BRADFORD REGIONAL MEDICAL CENTER,)
V&S MEDICAL ASSOCIATES, LLC,)
PETER VACCARO, M.D., KAMRAN SALEH,)
M.D., and DOES I through XX,)

Defendants.)

DEPOSITION OF CORPORATE DESIGNEE OF

BRADFORD REGIONAL MEDICAL CENTER

THURSDAY, JULY 26, 2007

Deposition of CORPORATE DESIGNEE OF BRADFORD
REGIONAL MEDICAL CENTER, called as a witness by the
Plaintiffs, taken pursuant to Notice of Deposition and
the Federal Rules of Civil Procedure, by and before
Joy A. Hartman, a Court Reporter and Notary Public in
and for the Commonwealth of Pennsylvania, at the
offices of Horthy Springer, 4614 Fifth Avenue, First
Floor, Pittsburgh, Pennsylvania, commencing at 10:03
a.m. on the day and date above set forth.

JOHNSON and MIMLESS
(412) 765-0744

EXHIBIT

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USA, et al., vs. Bradford, et al.
No. 04-186E

Multi-Page™

Corp. Designee BRMC
July 26, 2007

<p style="text-align: right;">Page 214</p> <p>1 the date of the communication, participants in the 2 communication, the form of communication, whether by 3 letter, email, memorandum, telephone, face to face, or 4 otherwise, and a detailed description of the subject 5 matter of the communication."</p> <p>6 The response that was provided was that in 7 addition to some objections, it says, "To the extent 8 that BRMC subsequently determines to argue reliance on 9 advice of counsel as part of its defense of good 10 faith, BRMC shall supplement this response."</p> <p>11 At this point in time, is the hospital 12 asserting a defense of good faith which would 13 incorporate an advice of counsel defense?</p> <p>14 A. No.</p> <p>15 MR. MULHOLLAND: We are asserting a good 16 faith defense, but not based on advice of 17 counsel.</p> <p>18 MR. STONE: Mr. Leonhardt, it has been a 19 long day for you, I'm sure. It has been a long 20 day for all of us. I appreciate your coming 21 in.</p> <p>22 Does anybody else have any other 23 questions?</p>	<p style="text-align: right;">Page 216</p> <p style="text-align: center;">C E R T I F I C A T E</p> <p>1 2 COMMONWEALTH OF PENNSYLVANIA : 3 COUNTY OF ALLEGHENY : SS.: 4 5 I, Joy A. Hartman, a Notary Public in and for 6 the Commonwealth of Pennsylvania, do hereby certify 7 that before me personally appeared TINA MARIE HANNAHS, 8 GLEN ALAN WASHINGTON, and GEORGE LEONHARDT, the 9 witnesses herein, who then were by me first duly 10 cautioned and sworn to testify the truth, the whole 11 truth and nothing but the truth in the taking of their 12 oral deposition in the cause aforesaid; that the 13 testimony then given by them as above set forth was 14 reduced to stenotypy by me, in the presence of said 15 witness, and afterwards transcribed by computer-aided 16 transcription under my direction.</p> <p>17 I do further certify that this deposition was 18 taken at the time and place specified in the foregoing 19 caption, and signature was not waived.</p> <p>20 I do further certify that I am not a relative 21 of or counsel or attorney for any party hereto, nor am 22 I otherwise interested in the event of this action.</p> <p>23 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Pittsburgh, Pennsylvania, on this 31st day of July, 2007.</p> <p>The foregoing certification does not apply to any reproduction of this transcript in any respect unless under the direct control and/or direction of the certifying reporter.</p> <p style="text-align: right;">_____ Joy A. Hartman, Notary Public in and for the Commonwealth of Pennsylvania</p> <p>My commission expires May 9, 2010.</p>
<p style="text-align: right;">Page 215</p> <p>1 MR. RYCHCIK: No.</p> <p>2 MR. MULHOLLAND: No questions. We will 3 reserve the right on behalf of the corporation 4 to have the deponents read and sign.</p> <p>5 (Whereupon, the deposition was concluded 6 at 5:24 p.m., and signature was not waived.)</p> <p>7 - - -</p> <p>8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>	